

REMARKS

In view of the above amendment and the following remarks, Applicants request reconsideration of this application.

Claims 1-34 are pending in this case, with claims 1 and 11-14 being the only independent claims. Claims 16-34 have been withdrawn from consideration. Claims 1 and 11-15 have been amended and claim 9 has been canceled.

Response to Drawing Objections

The Examiner has objected to the drawings because the Examiner contends that they do not show the feature recited in claim 9. Applicants have canceled claim 9 without prejudice and respectfully submit that the Examiner's objection to the drawings has therefore been rendered moot.

Response to Claim Rejections Under 35 U.S.C. § 112

Claim 9 stands rejected under 35 U.S.C. § 112. Because Applicants have canceled claim 9, Applicants respectfully submit that the Examiner's rejection of claim 9 has therefore been rendered moot.

Response to Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-8 and 10-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Taylor (US 2,016,756). Applicants respectfully traverse these rejections.

Claim 1 is directed to a safety hook including a main shaft and a chain receiving portion disposed at a first end of the main shaft. A first bend is disposed at a second end of the main shaft substantially vertically in-line with the chain receiving portion. A second bend depends from the first bend that bends in substantially the opposite direction of the first bend. The second bend has a terminal end that does not extend beyond the first bend.

Taylor discloses a tire chain connecting device having a shank (12) with a hook (13) on one end for receiving a chain. At the other end of the shank are a hook (10) and a secondary reversed hook (11). The Examiner equates Taylor's shank with the main shaft (12) of Applicant's claim 1, Taylor's hook (13) with the chain receiving portion of claim 1, and Taylor's hook (10) and reversed hook (11) with the first bend and second bend of claim 1, respectively. Even so, Taylor does not teach or suggest the safety hook of Applicant's claim 1. For example, Taylor's hook (10) and reversed hook (11) are not disposed "substantially vertically in-line with the chain receiving hook" as recited in claim 1. To the contrary, as shown in FIGs. 1-3, Taylor teaches a hook having a first bend at a second end of the main shaft

that is not vertically in-line with the chain receiving hook. Applicants respectfully submit, therefore, that claim 1 is patentable over Taylor.

Claims 2-8 and 10 depend from and include all of the limitations of claim 1. For the reasons set forth above with respect to claim 1, therefore, Applicants also respectfully suggest that claims 2-8 and 10 also are patentable over Taylor.

Claim 11 is directed to a safety hook including a main shaft and a chain receiving portion disposed at a first end of the main shaft. A first bend is disposed at a second end of the main shaft substantially vertically in-line with the chain receiving portion. A second bend depends from the first bend that bends in substantially the opposite direction of the first bend. The chain receiving portion, the first bend and the second bend are substantially co-planar.

Taylor does not teach or suggest the safety hook of Applicant's claim 11. As discussed above, Taylor does not teach or suggest a safety hook having a first bend at a second end of the main shaft "substantially vertically in-line with the chain receiving portion." In addition, Taylor does not teach or suggest that "the chain receiving portion, the first bend and the second bend are substantially co-planar" as recited in claim 11. Applicants respectfully submit, therefore, that claim 11 is patentable over Taylor.

Claim 12 is directed to a safety hook including a main shaft and a chain receiving portion disposed at a first end of the main shaft. A first bend is disposed at a second end of the main shaft substantially vertically in-line with the chain receiving portion. A second bend depends from the first bend that bends in substantially the opposite direction of the first bend.

Taylor does not teach or suggest the safety hook of Applicant's claim 12. As discussed above, Taylor does not teach or suggest a safety hook having a first bend disposed at a second end of the main shaft "substantially vertically in-line with the chain receiving portion." Applicants respectfully submit, therefore, that claim 12 is patentable over Taylor.

Claim 13 is directed to a safety hook including a main shaft and a chain receiving portion disposed at a first end of the main shaft. A first bend is disposed at a second end of the main shaft substantially vertically in-line with the chain receiving portion. The first bend has a first straight portion substantially parallel to the main shaft. A second bend depends from the first straight portion and bends in substantially the opposite direction of the first bend. The second bend has a second straight portion substantially parallel to the main shaft.

Taylor does not teach or suggest the safety hook of Applicant's claim 13. As discussed above, Taylor does not teach or suggest a safety hook having a first bend disposed at a second

end of the main shaft “substantially vertically in-line with the chain receiving portion.” Applicants respectfully submit, therefore, that claim 13 is patentable over Taylor.

Claim 14 is directed to a security hook for coupling a trailer to a towing vehicle using a chain, the chain being engaged with the trailer and the towing vehicle having a platform with a hole therein. The security hook includes a main shaft having a first end and second end. A chain receiving portion extends from the first end of the main shaft and is dimensioned to receive the chain. A U-shaped hook extends from the second end of the main shaft and is positioned to extend toward the same side of the main shaft as the chain receiving portion. The U-shaped hook is dimensioned to engage the hole in the towing vehicle platform. Claim 14 has been amended to further recite that the U-shaped hook extends from the second end of the main shaft “substantially vertically in-line with the chain receiving portion.”

Taylor does not teach or suggest the security hook of Applicant’s claim 14. As discussed above, Taylor does not teach or suggest a security hook having chain receiving portion dimensioned to receive a chain engaged with a trailer and a U-shaped hook “dimensioned to engage a hole in a towing vehicle platform” as recited in claim 14. Rather, Taylor only shows a hook engaging a tire chain. Moreover, Taylor does not teach or suggest a U-shaped hook “substantially vertically in-line with the chain receiving portion” as recited in amended claim 14. Applicants respectfully submit, therefore, that claim 14 is patentable over Taylor.

Claim 15 depends from and includes all of the limitations of claim 14. For the reasons set forth above with respect to claim 14, therefore, Applicants also respectfully suggest that claim 15 is patentable over Taylor.

Claims 11-15 also stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sorenson (US 2,169,298). Applicants have amended claims 11-13 and traverse the rejection.

Sorenson discloses a device (10) for securing and slacking off the supporting line of a boatswain’s chair (15), such as that used by painters. As shown in the figure, the size of Sorenson’s device is relatively large in relation to the boatswain’s chair that it supports.

Applicants have amended claims 11-13 to recite that the chain receiving portion is “dimensioned to receive a chain for coupling a trailer to a towing vehicle.”

Sorenson does not teach or suggest a safety hook having a chain receiving portion “dimensioned to receive a chain for coupling a trailer to a towing vehicle” as recited in Applicants’ amended claims 11-13. To the contrary, the dimensions of the device taught by

Sorenson render it unsuitable for receiving a chain for use in coupling a trailer to a towing vehicle. Applicants respectfully submit, therefore, that claims 11-13 are patentable over Sorenson.

Sorenson does not teach or suggest a safety hook of claim 14. For example, Sorenson does not teach or suggest a safety hook having a U-shaped hook “dimensioned to engage a hole in a towing vehicle platform.” Applicants respectfully submit, therefore, that claim 14 is patentable over Sorenson.

Claim 15 depends from and includes all of the limitations of claim 14. For the reasons set forth above with respect to claim 14, therefore, Applicants also respectfully suggest that claim 15 is patentable over Sorenson.

Response to Claim Rejections Under 35 U.S.C. § 103(a)

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Taylor (US 2,016,756) in view of Jacobson et al. (US 732,081). Because Applicants have canceled claim 9 without prejudice, they respectfully submit that the Examiner’s rejection of claim 9 has been rendered moot.

Claims 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Simpson (CA 2,337,983) in view of either Taylor (US 2,016,756) or Sorenson (US 2,169,298). Applicants respectfully traverse these rejections.

Simpson discloses a safety hook having a chain receiving portion disposed at a first end of a main shaft, a first bend portion disposed at a second end of the main shaft and a second bend portion depending from the first bend portion. Simpson does not teach a “U-shaped hook extending from the second end of the main shaft that is positioned to extend toward the same side of the main shaft as the chain receiving portion” as recited in claim 14.

The Examiner acknowledges that Simpson teaches that it is preferable to have the first bend portion bend to the opposite side of the main shaft as the chain receiving member. The Examiner suggests, however, that because Simpson states that that feature is not a limitation on the Simpson invention, it would have been obvious to bend the first bend portion to the same side of the main shaft as the chain receiving member in view of Taylor or Sorenson. Applicants respectfully disagree.

Obviousness cannot be established unless there is some suggestion or motivation to modify the reference to produce the claimed invention. MPEP § 2142. Applicants respectfully suggest that the cited prior art does not provide such a suggestion or motivation.

Although Simpson indicates that it is not limited to having the first bend portion extending to the opposite side of the main shaft, it gives no direction as to which of the many other possible orientations would likely be successful. At the most, therefore, Simpson does no more than suggest that that one might try other orientations. This does not render the Applicants' invention obvious. Rather, the Examiner's rejection based on Simpson appears to be based on an improper "obvious to try" rationale. See MPEP § 2145.

Moreover, there is no suggestion or motivation to modify Simpson using Sorenson because Sorenson is non-analogous art. See MPEP § 2141.01(a). Sorenson is directed to a very different problem than Applicants' invention. Thus, the Sorenson device differs in structure and function from Applicant's invention. Rather than being directed to the problem of securing a tow chain, Sorenson is directed to the problem of securing a supporting rope or line of a boatswain's chair in such a manner as to allow slacking off of the line to while the device is in use. Sorenson's device is much larger than Applicants' invention and functions much differently than Applicants' invention. Because of this, Sorenson's device would not be suitable for coupling a trailer to a towing vehicle wherein the chain is engaged with the trailer and the towing vehicle having a platform with a hole therein, as is Applicants' invention.

Likewise, Taylor is directed to a different problem than is Applicants' invention, i.e., Taylor is directed to a tire chain hook. Applicants respectfully submit, therefore, that Taylor also is non-analogous art. Even if it were proper to modify Simpson using Taylor, however, Applicants respectfully submit that the combination would not render claim 14 unpatentable. A finding of obviousness requires that all claim limitations of the Applicant's invention must be taught or suggested by the prior art. MPEP § 2143.03. The combination of Simpson and Taylor, however, does not teach or suggest all of the features of Applicants' amended claim 14. For example, that combination does not disclose "a U-shaped hook extending from the second end of the main shaft substantially vertically in-line with the chain receiving portion and positioned to extend toward the same side of the main shaft as the chain receiving portion" as recited in amended claim 14.

Applicants respectfully submit, therefore, that claim 14 is patentable over Simpson and Taylor or Sorenson, taken alone or in combination.

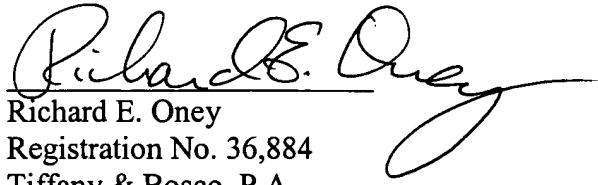
Claim 15 depends from and includes all of the limitations of claim 14. For the reasons set forth above with respect to claim 14, therefore, Applicants also respectfully submit that claim 15 is patentable over Simpson and Taylor or Sorenson, taken alone or in combination

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete reply has been made to the outstanding Office Action, and that the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Dated: June 14, 2006

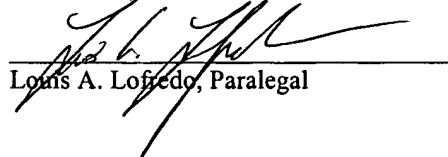
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6-14-06
Date of Signature